

NO. PD-0867-18

TROY ALLEN TIMMINS

VS.

THE STATE OF TEXAS

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§

IN THE COURT OF

CRIMINAL APPEALS

AUSTIN, TEXAS

FILED  
COURT OF CRIMINAL APPEALS  
12/27/2018  
DEANA WILLIAMSON, CLERK

**MOTION TO EXTEND TIME TO FILE BRIEF**

**TO THE HONORABLE JUDGES OF SAID COURT:**

Now comes Troy Allen Timmins, Appellant in the above styled and numbered cause, and moves this Court to grant an extension of time to file his brief, pursuant to Rule 38.6(b) of the Texas Rules of Appellate Procedure, and for good cause shows the following:

1. This case is on appeal from the Fourth Court of Appeals in San Antonio, Texas.
2. The case below was styled Troy Allen Timmins v. The State of Texas, Fourth Court of Appeals, and numbered 04-17-00187-CR.
3. Appellant was convicted of Bail Jumping and Failure to Appear.
4. On July 18, 2018, the Fourth Court of Appeals rendered its opinion in this cause in a case of first impression. This Court granted Appellant's Petition for Discretionary on November 21, 2018. Appellant's brief is presently due December 21, 2018.
5. Lead counsel for Appellant is handling multiple other appeals wherein counsel has primary briefing responsibility. This is in addition to an active trial practice. Undersigned counsel requires additional time to complete the brief in this cause and respectfully requests an additional thirty (30) days from the present due date in which to file Appellant's brief.
6. Appellant requests an extension of time of 30 days from the present date, i.e. January 20, 2019.

7. Appellant is currently incarcerated.
8. This is Appellant's first motion for extension of time to file his brief.
9. Appellant requests that this honorable Court extend the deadline to file Appellant's brief to January 20, 2019.

**WHEREFORE, PREMISES CONSIDERED**, Appellant prays that this Court grant this Motion To Extend Time to File Brief, and for such other and further relief as the Court may deem appropriate.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

This is to certify that on December 21, 2018, a true and correct copy of the above and foregoing document was served on the Hon. Scott Monroe, 198<sup>th</sup> Judicial District Attorney, 402 Clearwater Paseo, Kerrville, Texas 78028, by E-Service at *scottm@198da.com*; and on the Hon. David Schulman, 1801 East 51<sup>st</sup> Street, Suite 365-474, Austin, Texas 78723, by E-Service at *zdrdavida@davidschulman.com*.

/s/ M. Patrick Maguire

M. Patrick Maguire